

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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	:	
UNITED STATES OF AMERICA	:	<u>FINAL ORDER OF</u>
	:	<u>FORFEITURE</u>
-v.-	:	
	:	15 Cr. 744 (RJS)
ME SUN NOH,	:	
	:	
Defendant.	:	
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On or about May 16, 2023, the Court entered a Preliminary Order of Forfeiture as to Substitute Assets (the “Substitute Assets Order”) (Doc. No. 33), which ordered the forfeiture to the United States of all right, title and interest of ME SUN NOH (the “Defendant”) in the following property: \$5,710.23 in United States currency formerly on deposit in JPMorgan Chase & Co. Account No. 675165059, held in the name of Green Pole, Inc. (the “Substitute Asset”).

The Substitute Assets Order directed the United States to publish, for at least thirty (30) consecutive days, notice of the Substitute Assets Order, notice of the United States’ intent to dispose of the Substitute Asset, and the requirement that any person asserting a legal interest in the Substitute Asset must file a petition with the Court in accordance with the requirements of Title 21, United States Code, Sections 853(n)(2) and (3). The Substitute Assets Order further stated that the United States could, to the extent practicable, provide direct written notice to any person known to have an alleged interest in the Substitute Asset and as a substitute for published notice as to those persons so notified.

The provisions of Title 21, United State Code, Section 853(n)(1), Rule 32.2(b)(6) of the Federal Rules of Criminal Procedure, and Rules G(4)(a)(iv)(C) and G(5)(a)(ii) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, require publication of a notice of forfeiture and of the government’s intent to dispose of the Substitute Asset before the

United States can obtain clear title to the Substitute Asset. Accordingly, beginning on August 12, 2023, for thirty (30) consecutive days, through September 10, 2023, the government posted a Notice of Forfeiture and gave notice of the intent of the United States to dispose of the Substitute Asset on an official government internet site (www.forfeiture.gov), pursuant to Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty and Maritime Claims and Asset Forfeiture Actions. Proof of such publication was filed with the Clerk of the Court on February 8, 2024. (Doc. No. 34.)

On or about October 18, 2023, the government sent direct notice of the Substitute Assets Order via United States Postal Service certified mail to:

Green Pole, Inc.
360 West 34th Street, Suite 11M
New York, NY 10001

(the “Noticed Party”).

Therefore, because: (1) thirty (30) days have expired since final publication of the Notice of Forfeiture and receipt of notice by the Noticed Party, and no petitions or claims to contest the forfeiture of the Substitute Asset have been filed; (2) the Defendant and the Noticed Party are the only person and/or entity known by the government to have a potential interest in the Substitute Asset; and (3) pursuant to Title 21, United States Code, Section 853(n)(7), the United States shall have clear title to any forfeited property if no petitions for a hearing to contest the forfeiture have been filed within thirty (30) days of final publication of notice of forfeiture as set forth in Title 21, United States Code, Section 853(n)(2),

IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:

1. All right, title and interest in the Substitute Asset is hereby forfeited and vested in the United States of America, and shall be disposed of according to law.

2. Pursuant to Title 21, United States Code, Section 853(n)(7), the United States of America shall and is hereby deemed to have clear title to the Substitute Asset.

3. The United States Marshals Service (or its designee) shall take possession of the Substitute Asset and dispose of the same according to law, in accordance with Title 21, United States Code, Section 853(h).

Dated: New York, New York
April 1, 2024

SO ORDERED:

A handwritten signature in blue ink, appearing to read 'R. Sullivan', is written over a horizontal line.

HONORABLE RICHARD J. SULLIVAN
UNITED STATES CIRCUIT JUDGE
SITTING BY DESIGNATION